

REMARKS

Claims 1-2 are pending in the application. Claim 1 is herein amended. No new matter has been presented.

Objection

The Amendment filed June 15, 2011 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure.

The Examiner alleged as follows:

35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: the recitation "along a central axis" added to claim 1. See 35 U.S.C. 112, first paragraph, rejection of claims 1 and 2 made of record below.

Applicant is required to cancel the new matter in the reply to this Office Action.

In the amendment, "along a central axis of the multilayered molten resin mass " is amended to --along the central axis of the multilayered molten resin mass --.

Rejections under 35 USC §112, First and Second Paragraphs

Claims 1 and 2 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

Claims 1 and 2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

The Examiner alleged as follows:

The use of "a" in "a central axis" strongly implies that there are more than one "central axis". Note that this is reasonably possible, given that article is

recited as a "molten resin mass", and that the overall shape of the "molten resin mass" is not specified in the claim language: the geometrical relationships recited specify the structural relationship between the first and second resins, but not the overall shape of the "molten resin mass". However, as stated above, this concept of more than one "central axis" is not supported in the specification as originally filed. See 35 U.S.C. 112, second paragraph, rejection of claims 1 and 2 for more discussion on what scope of structures "a central axis" may be interpreted to include.

(Office Action, page 3, last 5 lines to page 4, line 3).

As mentioned above, "along a central axis of the multilayered molten resin mass" is amended to --along the central axis of the multilayered molten resin mass--. Thus, the recitation "the central axis of the multilayered molten resin mass" indicates that there is only one central axis.

Rejections under 35 USC §102(b)

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Shimizu et al. (U.S. Patent No. 4,816,308).

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Collette et al. (U.S. Patent No. 5,759,653).

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Kuwabara et al. (JP 03-234604)

Claim 1 is amended to recite, among other things, " $Z > y > L$, . . . wherein **Z is a length along the central axis** of the multilayered molten resin mass, y is a length of umbrella part of the second resin."

The preforms disclosed in Collette et al., and Kuwabara et al. are of concave shape, and **y is greater than Z**. Thus, " $Z > y > L$ " is not satisfied in Collette et al., and Kuwabara et al. Therefore, neither of Collette et al., and Kuwabara et al., teaches or suggests the amended recitations. Also

there is no reason for a person of ordinary skill in the art to modify the teachings of Collette et al., and Kuwabara et al. to arrive at the present invention as recited in claim 1.

For at least these reasons, claim 1 patentably distinguishes over Collette et al., and Kuwabara et al. Claim 2, depending from claim 1, also patentably distinguishes over Collette et al., and Kuwabara et al. for at least the same reasons.

Rejections under 35 USC §103(a)

Claim 2 is rejected under 35 U.S.C. 103(a) as being obvious over Shimizu et al. (U.S. Patent No. 4,816,308).

Claim 2, depending from claim 1. Shimizu et al., also, does not teach or suggest “ $Z > y > L$, . . . wherein Z is a length along the central axis of the multilayered molten resin mass, y is a length of umbrella part of the second resin,” as recited in claim 1.

For at least these reasons, claim 2 patentably distinguishes over Shimizu et al.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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